



January 26, 2024

**Via ECF and E-mail**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**Re: *In re Tether and Bitfinex Crypto Asset Litigation*, 19-CV-09236 (KPF)**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Pursuant to Rule 9 of this Court's Individual Rules of Practice in Civil Cases, we write to request permission to file Plaintiffs' opposition to Defendants' Letter Motion for Leave to File a Sur-Reply (ECF No. 519) under seal.

The opposition cites extensively the parties' briefings and accompanying exhibits related to Plaintiffs' Motion for Leave to File a Second Amended Complaint and Second Amended Complaint, all filed under seal (ECF Nos. 480, 505, 506, 515, 516, 519). Plaintiffs are meeting and conferring with the Anonymous Trader regarding redactions to Plaintiffs' Motion for Leave to File a Second Amended Complaint and the Second Amended Complaint pursuant to the Court's order, dated December 18, 2023, at ECF No. 511, and will file a public version after they reach agreement with the Anonymous Trader.

Hon. Katherine Polk Failla  
January 26, 2024

Respectfully submitted,

/s/ Andrew R. Dunlap

Philippe Z. Selendy  
Andrew R. Dunlap  
Oscar Shine  
Laura M. King  
SELENDY GAY ELSBERG PLLC  
1290 Sixth Avenue  
New York, NY 10104  
pselendy@selendygay.com  
adunlap@selendygay.com  
oshine@selendygay.com  
lking@selendygay.com

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)  
Matthew S. Weiler (*pro hac vice*)  
Mahzad K. Hite (*pro hac vice*)  
SCHNEIDER WALLACE COTTRELL  
KONECKY LLP  
2000 Powell Street, Suite 1400  
Emeryville, CA 94608  
tschneider@schneiderwallace.com  
mweiler@schneiderwallace.com  
mhite@schneiderwallace.com

*Interim Lead Counsel and Attorneys for  
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)